

REMARKS

This paper is filed in response to the Office Action dated March 31, 2004. As this paper is filed on June 30, 2004, the paper is timely filed.

I. Status of Amendments

Claims 91-122 were pending prior to this reply. No amendments are made by this reply. Thus, claims 91-122 remain pending.

II. Response to the March 31 Office Action

In the March 31 Office Action, claims 91-98, 101-114, 117-119, 121, and 122 are rejected under 35 U.S.C. 102(b) as being allegedly anticipated by Nagao et al. (U.S. Patent No. 5,645,486). Claims 99, 100, 115, 116 and 120 are rejected under 35 U.S.C. 103 as being allegedly unpatentable over Nagao et al. in view of DeFrees-Parrott et al. (U.S. Published Application No. 2001/0036855). Applicants respectfully disagree, and request that the rejections be withdrawn.

In particular, applicants disagree with the statement at page 3 that Nagao et al. discloses “permitting the player to place the at least one entry with one of a set of entries for a first shared bonus event and a set of entries for a second shared bonus event.” In this regard, the Office Action continues (emphasis added):

Therefore, if a player plays a gaming machine(s) through at least two lottery cycles, *then the player places at least one entry for each of the first shared bonus event and a second shared bonus event.*

However, claim 91 does not recite “permitting the player to place at least one entry with a set of entries for a first shared bonus event and a set of entries for a second shared bonus event,” it states “permitting the player to place *the* at least one entry with *one of* a set of entries for a first shared bonus event and a set of entries for a second shared bonus event.” One will recognize that the “*the* at least one entry” refers back to “associating at least one entry for a shared bonus event with a gaming entity if the qualifying activity associated with the primary game has occurred,” which in turn refers back to “determining if a qualifying

activity associated with the primary game has occurred.” Thus, the “the at least one entry” does not refer to an entry or entries associated with two separate qualifying events, as is how the limitation appears to be applied in the passage quoted above. Rather, the “the at least one entry” refers to an entry or entries that are associated with a gaming entity based on a qualifying event, which entry or entries may be placed with one of a set of entries for a first shared bonus event and a set of entries for a second shared bonus event.

It was thus stated, in the previous amendment, that in regard to the allegedly corresponding “lottery” identified in the August 27 Office Action, Nagao et al. states (col. 10:1-13):

Meanwhile, if the winning combination is a ROYAL FLUSH at step 8, it is judged whether or not the bet amount is the predetermined maximum value (STEP S9). . . . If the player doesn’t bet the maximum amount, a lottery is performed (STEP S10).

Further, Nagao et al. states (col. 11:34-54):

In FIG. 16, the lottery indicating section i includes lines for indicating 5 to 1 BETs from top to bottom. Five circles 0 are arranged in the 5 BET line, four circles 0 are arranged in the 4 BET line, three circles 0 are arranged in the 3 BET line, two circles 0 are arranged in the 2 BET line, and one circle 0 is arranged in the 1 BET line. . . . the lengthwise lottery determining frame k moves from left to right, i.e., from the first row to the fifth row, enclosing circles, and stops after the fixed time. If there is a circle at the place where the row determined bet indicating frame j and the lottery determining frame k which has stopped, the player wins. The player loses if there is no circle at that place.

Therefore, according to Nagao et al., there is no “permitting the player to place the at least one entry with one of a set of entries for a first shared bonus event and a set of entries for a second shared bonus event,” but the allegedly corresponding “lottery” involving the allegedly corresponding “entry” is carried out as a direct consequence of the player meeting the requirements for participating in the lottery.

Similar to the “lottery” of Nagao et al., DeFrees-Parrott et al. states, for example, at paragraph [0030]:

In one embodiment, the lottery game is configured as a Quick Pick lottery and the Quick Pick numbers are erased after each play and replaced with new quick pick numbers or a players chosen numbers.

As to other embodiments, DeFrees-Parrott et al. states, for example, at paragraphs [0073] and [0074]:

Next, lottery game device 10 generates a lottery ticket having the player's selected lottery number. In alternative embodiment, the player's identification card has the player's favorite lottery numbers encoded thereon. . . . Data representing the winning lottery number is then generated by the central lottery computer and inputted into interface connector 60. Control module 40 then controls lottery game display 36 to display the winning lottery numbers. If the player is a winner, control module 40 then outputs a signal to lottery game display 36 and visual and audio module 38 to provide video and audio information that informs the player he or she is a winner.

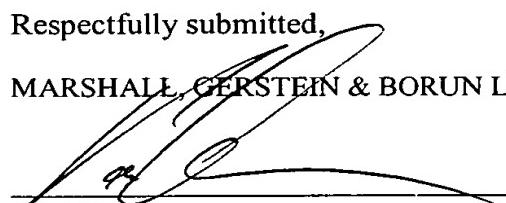
Additional examples may be provided, but it is believed that none of the embodiments of DeFrees-Parrott et al. include each and every limitation of the subject matter of claim 91, for example, "permitting the player to place the at least one entry with one of a set of entries for a first shared bonus event and a set of entries for a second shared bonus event."

Given that claims 92-122 depend from claim 91 and that claim 91 is distinguishable from Nagao et al. and DeFrees-Parrott, so too are claims 92-122.

In view of the foregoing, it is respectfully submitted that the above application is in condition for allowance, and reconsideration is respectfully requested. If there is any matter that the Examiner would like to discuss, the Examiner is invited to contact the undersigned representative at the telephone number set forth below.

Date: June 30, 2004

By:

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN LLC

Paul C. Craane
Registration No. 38,851
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6357
(312) 474-6300